

Evaluate the extent to which a hot dog is a sandwich.

Document 1

Source: Merriam-Webster Dictionary

Definition of Sandwich

- 1** **a** : two or more slices of bread or a split roll having a filling in between
 b : one slice of bread covered with food

Document 2

Source: Food Standards and Labeling Policy Book, United States Department of Agriculture, 2005

SANDWICH - CLOSED: Product must contain at least 35 percent cooked meat and no more than 50 percent bread. Sandwiches are not amenable to inspection. If inspection is requested for this product, it may be granted under reimbursable Food Inspection Service. Typical —closed-faced— sandwiches consisting of two slices of bread or the top and bottom sections of a sliced bun that enclose meat or poultry, are not amenable to the Federal meat and poultry inspection laws. Therefore, they are not required to be inspected nor bear the marks of inspection when distributed in interstate commerce.

SANDWICH - OPEN: Must contain at least 50 percent cooked meat. Sandwiches are amenable only if they are open faced sandwiches. Product must show a true product name, e.g., —Sliced Roast Beef on Bread.“ This regulatory policy in no way alters the Department's present policy with respect to caterers who include meat sandwiches in their dinners.

SANDWICHES (MEAT OR POULTRY AS COMPONENTS OF “DINNER PRODUCTS”): Dinners containing a sandwich type product, e.g., a frankfurter, hamburger, or sliced poultry meat with a bun, are amenable and subject to inspection.

Document 3

Source: Press Release, National Hot Dog and Sausage Council, November 6, 2015

As the official voice of hot dogs and sausages, the National Hot Dog and Sausage Council (NHDSC) is primed to settle this debate once and for all, and our verdict is...a hot dog is an exclamation of joy, a food, a verb describing one 'showing off' and even an emoji. It is truly a category unto its own.

"Limiting the hot dog's significance by saying it's 'just a sandwich' category is like calling the Dalai Lama 'just a guy.' Perhaps at one time its importance could be limited by forcing it into a larger sandwich category... that time has passed, said NHDSC President and 'Queen of Wien' Janet Riley. "We therefore choose to take a cue from a great performer and declare our namesake be a "hot dog formerly known as a sandwich."

The Council has often followed American history and [United States Department of Agriculture] guidance on the issue and fallen on the side of the hot dog as a sandwich. When it first arrived on American shores from Europe in the late 1800s, it was often referred to as a "Coney Island Sandwich" or "Frankfurter sandwich," but much like an "ice cream sundae" is simply referred to as a sundae, terminology changes.

Document 4

Source: Chapter 4 Exemptions, Article 1 General Exemptions, Section 6359 of California Sales and Use Tax Law

Sandwiches as "meals"; "paper napkins" as facilities.—The sale of hot dog and hamburger sandwiches, even when served with beverages, from sandwich stands or booths where neither chairs nor tables are provided for customers, does not constitute a "meal" within this section. A "paper napkin" is not "tableware" within this section, since the rule of ejusdem generis is applicable. *Treasure Island Catering Co., Inc. v. State Board of Equalization* (1941) 19 Cal.2d 181.

Document 5

Source: Interview with U.S. Supreme Court Associate Justice Ruth Bader Ginsburg, *The Late Show with Stephen Colbert*

As Colbert explains the definition of a sandwich should be:

Two pieces of bread with almost any type of filling in between -- as long as it's not more bread.

Ginsburg: You said two pieces of bread. Does that include a roll that's cut open but still not completely?

Colbert: That gets immediately to the question: Does the roll need to be separated into two parts? And yet, in the case of a sub, the bread is not split apart. So then, a hot dog is also a sandwich?

Ginsburg: On your definition, yes, it is.

Document 6

Source: "It's Not a Sandwich," *The Atlantic*, November 5, 2015

The Sandwich Index we created consisted of four points:

1. To qualify as "a sandwich," a given food product must, structurally, consist of two (2) exterior pieces that are either separate or mostly separate;
2. Those pieces must be primarily carbohydrate-based—so, made of bread or bread-like products;
3. The whole assemblage must have a primarily horizontal orientation (so, sitting flush with a plate rather than perpendicular to it); and
4. The whole assemblage must be fundamentally portable.

So. Under this definition, a burger is a sandwich. So is an ice cream sandwich. So is an Oreo. So is a grilled cheese.

Document 7

Source: Harris Poll, May 2016

[N]ew polling shows Americans are far less divided about the question, “Is a hot dog a sandwich?” Newly released poll results show that 57 percent of Americans say hot dog on a bun is NOT a sandwich compared to 33 percent who believe it IS. Meanwhile, 10 percent remain undecided.

The polling was conducted online among more than 2,000 U.S. adults ages 18 and older in May 2016 by Harris Poll on behalf of the National Hot Dog and Sausage Council (NHDSC).

The epic debate has dominated social media at times in 2016. The polling reveals that Americans age 18-34 (64 percent) and 35-44 (61 percent) are more likely than their older counterparts age 65+ (44 percent) to believe that a hot dog is not a sandwich. In fact, Americans over the age of 65 (44 percent) are the only demographic group where more say a hot dog is a sandwich (50 percent) than is not. Southerners (62 percent), Northeasterners (58 percent) & Westerners (58 percent) are all more likely to agree that a hot dog is not a sandwich than Midwesterners (49 percent).